

Remarks/Arguments:

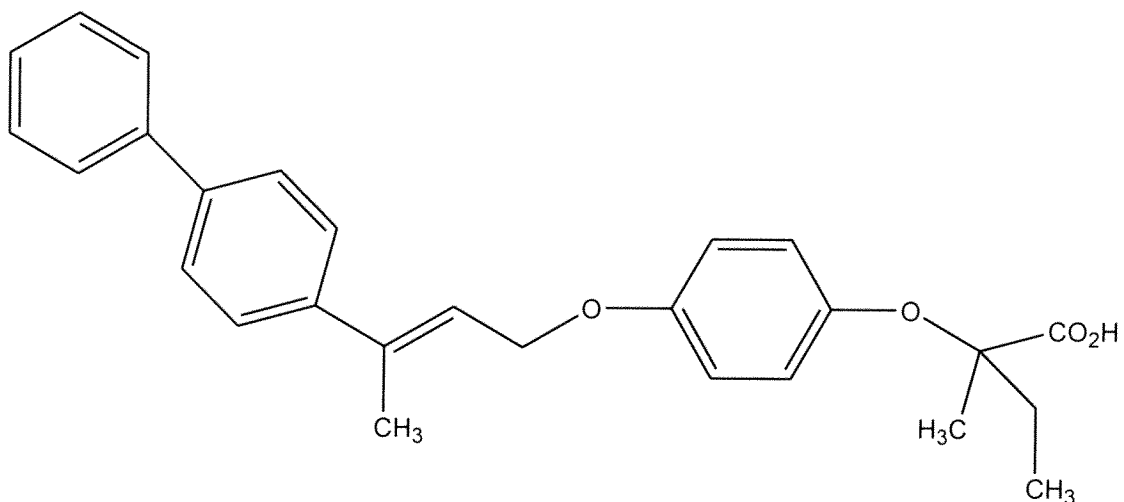
This paper is filed in response to the Restriction Requirement mailed January 27, 2010 and is intended to be responsive to every issue raised in each Action.

The Examiner noted that Claims 56 – 57 were drawn to non-statutory "use of" subject matter and therefore are not included in the Restriction Requirement. Accordingly, Applicants request cancellation of Claims 56 – 57 without prejudice.

The Examiner required Applicants, under 35 U.S.C. §§ 121 and 372, to restrict the claims to a single invention and elect a single disclosed species from the invention. The Examiner argued that the inventions listed as Groups 1-8 in the Office Action do not relate to a single general inventive concept under PCT Rule 13.1. More specifically, the Examiner states that the claims lack the same or corresponding special technical features for the following reasons: "[t]he special technical feature that all the groups have in common is a benzyl moiety which is well known in the art and have many various and different utilities such as a cleanser."

Applicants respectfully traverse the requirement to restrict the claims to any of Group 1-8 and to elect a particular species. As indicated by MPEP § 803, the Examiner is required to show that searching and examining all of the claims would be a serious burden on the Examiner. The Examiner has made no such showing, and Applicants respectfully submit that such a search and examination would not be a serious burden. Accordingly, withdrawal of the requirement and continued substantive examination of the currently pending claims is respectfully requested.

Nevertheless, because a reply is not complete without an election being made, Applicants elect, with traverse, Group 1, Claims 1 – 36, 39 – 55, and 58 - 59 and elect for initial examination, with traverse, the following species:



The elected species is encompassed in each of the claims listed above, Claims 1 – 36, 39 – 55, and 58 – 59 and can be found in the specification at least at page 19, and in originally filed Claim 42.

Request for consideration


Applicants submit the application is in condition for allowance. Withdrawal of the restriction requirement and issuance of a Notice of Allowance is respectfully requested. If one or all of the claims are deemed to not be allowable, the Examiner is invited to call the undersigned attorney at the number given below for resolution of any remaining issues.

It is believed that no additional fees are due in conjunction with the filing of this response. If, however, it is deemed that additional fees are due, authorization is hereby given to deduct any such fees from Deposit Account No. 50-2548.

Respectfully submitted,

Nelson Mullins Riley & Scarborough, LLP

Dated: May 27, 2010

A handwritten signature in dark ink, appearing to read "Brian D. McAlhaney", is written over a horizontal line.

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